

105

PATENT

Attorney Docket No. FORS-04447

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Michael W. KAISER *et al.*
 Serial No.: 09/684,305
 Filed: 10/06/00
 Entitled: IMPROVED CLEAVAGE AGENTS

Group No. 1637
 Examiner: Fredman

MAY 20 2002

TECH CENTER 1600/2900

AMENDMENT TRANSMITTAL

BOX NON FEE AMENDMENT

Assistant Commissioner for Patents
 Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: May 6, 2002

By:

Mary Ellen Waite
Mary Ellen Waite

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	34	—	34	0	× 18.00 \$0.00
Independent Claims	3	—	3	0	× 84.00 \$0.00

TOTAL DUE

0.00

- No additional fee is required.
- Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: May 6, 2002

By:

David A. Casimir
 Registration No. 42,395

MEDLEN & CARROLL, LLP
 101 Howard Street, Suite 350
 San Francisco, California 94105
 415/904-6500



COPY OF PAPERS
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Attorney Docket No. ECR-041
MAY 20 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of: Kaiser *et al.*

Serial No.: 09/684,305

Filed: 10/06/00

Entitled: IMPROVED CLEAVAGE AGENTS

Group No.: 1637

Examiner: JN Fredman

RESPONSE TO RESTRICTION REQUIREMENT MAILED APRIL 8, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: May 6, 2002

By:

Mary Ellen Waite
Mary Ellen Waite

Sir:

The following communication is responsive to the Restriction Requirement in the Office Action mailed April 8, 2002 for patent application serial number 09/684,305.

Applicants note that the Examiner still has not examined the pending claims, which were filed in a preliminary amendment filed with the present application.

Applicants cannot properly respond to this action because the currently pending claims have not been examined. However, in an effort to best meet the Examiner's request, Applicants select the following species: IV-Archaeoglobus fulgidus and SEQ ID NO:179. Following examination of these species and identification of patentable subject matter, the Examiner is required to assess the remaining species in the present prosecution. It is Applicants' assumption that all pending claims (53-108) are under consideration and are to be examined in the present prosecution. If the Examiner believes otherwise, Applicants request that a formal Restriction Requirement directed at Claims 53-108 be issued (rather than the previous actions directed at Claims 1-52).

PATENT

Attorney Docket No. **FORS-04447**

Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

Dated: May 6, 2002



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